

### REMARKS

Favorable reconsideration of this Application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-12 remain pending in the present Application. Claims 2-4, 6-8, and 10-12 have been withdrawn. Claims 1, 5 and 9 are amended, in part, to address cosmetic matters of form. Support for the substantive amendment of claims 1, 5 and 9 can be found at least at page 25 and figure 3 of the specification. No new matter has been added.

By way of summary, the Official Action presents the following issues: Claims 1, 5 and 9 stand rejected under 35 U.S.C. § 103 as being unpatentable over Yuen et al. (U.S. Patent No. 5,307,173, hereinafter Yuen).

### INFORMATION DISCLOSURE STATEMENT

**Applicants respectfully direct the Examiner's attention to the Information Disclosure Statement (IDS) filed January 10, 2006. Applicants note that this IDS has yet to be indicated as considered by the Examiner. As such, Applicants respectfully requests that the Examiner provide an initialed Form 1449 in the next communication.**

### REJECTION UNDER 35 U.S.C. § 103

The Official Action has rejected Claims 1, 5 and 9 under 35 U.S.C. § 103 as being unpatentable by Yuen. The Official Action asserts that Yuen discloses all of the Applicant's claim limitations. Applicant respectfully traverses the rejection.

Applicant's amended Claim 1 recites, *inter alia*, an image recording apparatus comprising:

... overlap warning means for warning of any overlapping preset programs that are judged to exist and for prompting a user to reset corresponding priorities of preset programs of the judged overlap . . .  
(emphasis added)

By way of background, image recording apparatuses are generally capable of verifying whether preset TV programs for unattended recording overlap with each other.<sup>1</sup> However, such systems are deficient in that they fail to provide an interface for prompting or allowing a user to set or reset the highest recording priority to any of overlapping preset TV programs.<sup>2</sup>

In light of at least the above deficiencies in the art, the present invention is provided. With at least this object in mind, a brief comparison of the claimed invention, in view of the cited references, is believed to be in order.

Yuen describes an apparatus and method using compressed codes for TV program record scheduling. When a user attempts to enter a program that overlaps in time with a program previously entered, a message, “CLASH,” appears, indicating that there is an overlap with a preset program.<sup>3</sup> Then, the user may either 1) forget about recording the newly entered preset program by not doing anything; or 2) press the same button to preset the new program, and by doing so, instructing the recoding apparatus to fully record whichever preset program starts first and then, after the first program is completed, record the remainder of the second program.<sup>4</sup>

Conversely, in an exemplary embodiment of the Applicants’ invention, as recited in amended Claim 1, a recording apparatus provides an “overlap warning means . . . for prompting a user to reset corresponding priorities of preset programs of the judged overlap” (emphasis added). As Yuen merely warns the user of an overlap; Yuen does not disclose or suggest an “overlap warning means” for the purpose of prompting a user to reset priorities of preset programs of the judged overlap stored in memory.

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<sup>1</sup> Application at page 2.

<sup>2</sup> Application at pages 2-3.

<sup>3</sup> Yuen at column 25, lines 59-61.

<sup>4</sup> Yuen at column 25, line 62 – column 26, line 4.

Accordingly, Applicant respectfully submits that independent Claim 1 is allowable over the cited reference. Likewise, as independent Claims 5 and 9 recite substantially similar limitations to that discussed above, Applicant submits that these claims are likewise allowable over the cited references.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 1, 5 and 9, is patently distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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